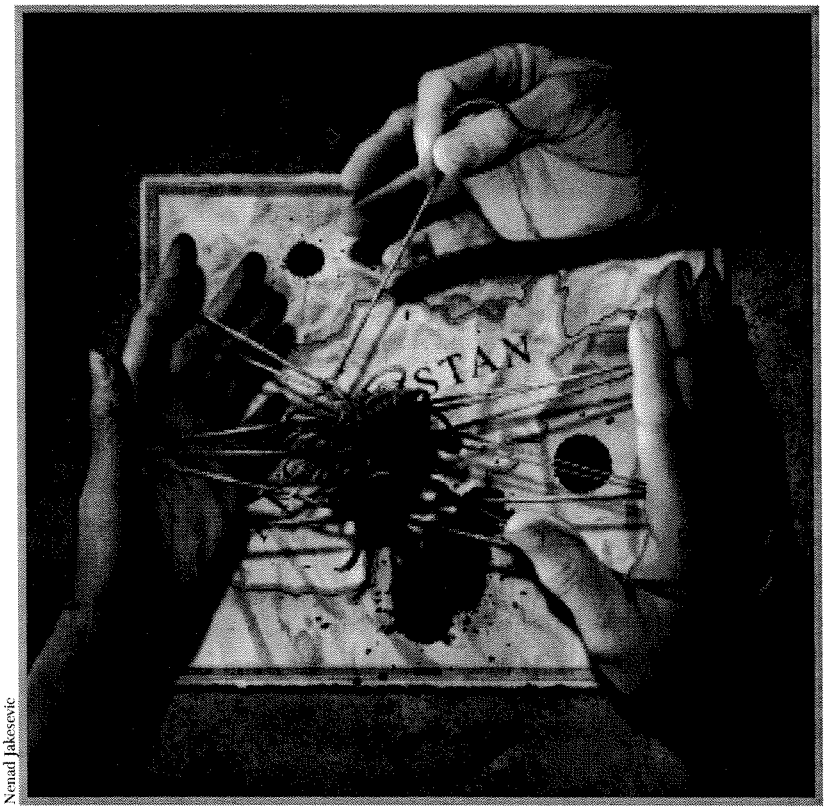
SALVAGING THE AFGHANISTAN VENTURE



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TO RECOVER ITS INVESTMENT IN STABILIZING AFGHANISTAN, WASHINGTON MUST FOCUS ON FOSTERING EFFECTIVE GOVERNANCE.

BY EDMUND MCWILLIAMS

One of the poorest countries in the world outside sub-Saharan Africa, Afghanistan is a failing state, though not yet a failed one. Nearly seven years after the U.S. military intervention to topple the Taliban regime and eliminate the al-Qaida terrorist network for which it provided a safe haven, Afghanistan is still enmeshed in a nightmare with no end in sight. The fragility of its political system and weakness of its economic structures render it especially vulnerable to dire trends in the international market, such as the rising cost of food and fuel.

In recent months, the growing security threat in the country has prompted alarm. During a visit this past spring, the chief of the International Committee of the Red Cross expressed dismay at the resurgence of the Taliban, declaring that the humanitarian situation was worsening and the conflict was expanding. While intelligence reports indicate that al-Qaida is no longer based in the country, operating from across the border in Pakistan's North West Frontier Province, only a costly, protracted U.S./NATO deployment in southern and eastern Afghanistan prevents the group's return to its safe harbor.

The conception of a system of government for post-Taliban Afghanistan that ignores the country's history, traditions and political realities was flawed.

Also this spring, Director of National Intelligence General Michael McConnell acknowledged that Afghan President Hamid Karzai's administration only controls 30 percent of the country. According to McConnell, the Taliban holds 10 percent, with the rest controlled by tribes or local figures not subservient to Kabul. The number of Taliban-initiated incidents in 2008 is likely to surpass even that of 2007, and advances in Logar and Wardak provinces just to the south of Kabul raise the prospect of rising pressure on the capital itself.

The resurgent Taliban is drawing on a seemingly inexhaustible base of recruits in Pakistan and among discouraged and often impoverished Afghan youth. Unchecked opium-trade profits provide funding for the growing Taliban operations. The opium bazaar also provides vast funding for al-Qaida and allied anti-government leaders such as Gulbuddin Hekmatyar and Jallaluddin Haqqani. In addition to providing a principal funding source for Karzai's adversaries, the massive, exploding opium production has critically hobbled the government itself, corrupting officials at the district, provincial and national levels.

What accounts for this escalating failure? More important, how can it be turned around? It is no secret that the U.S.-led effort to rescue Afghanistan has been vastly underresourced, relegated to an afterthought by the enormous and ever-expanding demands of the Bush administration's Iraq campaign. And the Afghan leaders themselves are far from blameless. But the international intervention also contained fundamental design flaws in the conception of a system of government for post-Taliban Afghanistan that ignores the country's history, traditions and political realities.

Recognition of this misstep points to a possible path toward greater stability and an eventual rescue of the venture in Afghanistan.

A Range of Perspectives

The apparent deadlock has prompted a range of proposals and recommendations shaped in part by varying assessments of progress to date in the areas of security, development and Afghan governance. Administration assessments have generally been more positive in all three areas than those of non-government analysts and those of Afghans themselves.

In the security area, administration analysis has tended to portray rising Taliban assertiveness as evidence of desperation, while private-sector analysts tend to regard the rise of Taliban-initiated attacks, including suicide attacks, as evidence of growing sophistication and capacity. Economic development presents a patchwork of problems with poor security, limited government absorptive capacity and international aid commitments that are incompletely fulfilled or consumed by costly donor-country contractors seen generally as impeding progress.

Afghan governance similarly gets mixed reviews. While the government remains reasonably stable and Afghans enjoy far broader freedoms than under Taliban rule, corruption, particularly related to opium production and trafficking, remains endemic. Critical government services, especially related to justice and the police, are widely seen as having failed.

Recommendations range from prescriptions for a modest course correction to calls for more urgent and wide-ranging change. There is growing agreement

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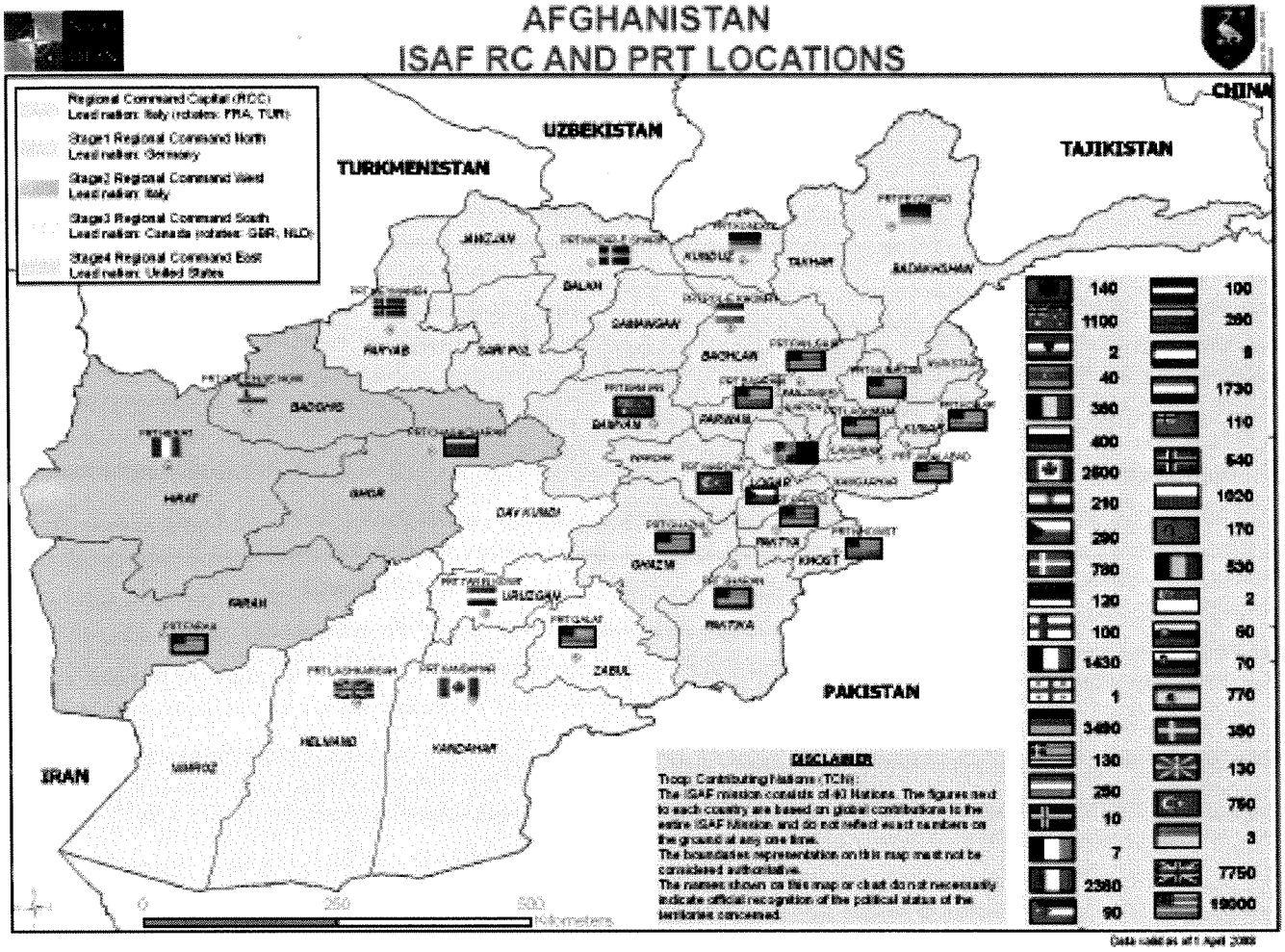
between the administration and non-government analysts that reliance on Pakistani territory as a safe harbor and recruiting base constitutes a critical advantage for the Taliban and its allies, though divisions remain over how to address this problem. Some call for a much stronger U.S. role, possibly to include assumption of command in southern Afghanistan, where the Taliban is strongest. There is also sharp disagreement over how to address Taliban basing and logistics operations in Pakistan. Proposals range from assertive U.S./NATO action that is less constrained by concerns of Pakistani sovereignty to a willingness to give Islamabad time to negotiate with local leaders in the Federally Administered Tribal Areas and Swat, a district in Pakistan's North West Frontier Province.

There has been much less debate, however, on recommendations related to the non-security aspects of policy — namely, development and governance. The attempt to centralize leadership of economic efforts under a development czar was generally supported in the international community but resisted by some Afghans. In any event, progress in development and, to a lesser extent, effective governance remains hostage to progress in improving the security environment. Ironically, effective governance is perceived as a matter that falls more exclusively within the Afghan purview — despite the reality that the central government functions within a framework created by the international community at the 2001 Bonn conference.

Forgetting History

While the international community and, in particular, the U.S., are to be faulted for paying insufficient attention over the long term to Afghanistan, the troubled nation's leaders also bear considerable responsibility for the failures of recent years. Today, even where the central government *does* exercise influence, too often Kabul-appointed officials are corrupt or incompetent or, in some places, operate at cross purposes with the government. The police and judiciary are broadly ineffective and have caused great popular disaffection. There is no effective civil service throughout much of Afghanistan; both the Public Service



Commission and the Judicial Reform Commission are highly politicized and ineffective; and education, a critical need in a society that has seen two generations come of age without schooling, is limited by Taliban targeting of governmental education efforts.

Afghans tell pollsters that an absence of security is their greatest concern, with endemic corruption another chronic and debilitating reality. They are keenly aware that no senior official has been prosecuted for corruption. International funding for development is frequently misdirected. The failure to establish justice not only effectively confers impunity for past crimes; it also leaves the population vulnerable to future abuses, often by the same perpetrators.

The inability of Afghan officials to develop effective governance structures at the national and local levels, despite international advice and support, is often perceived as an endemic failure reflecting Afghans' alleged incapacity to sustain self-government. However, that perspective ignores the nation's long history as a self-governing entity that was, over much of the 20th century, one of the Islamic world's more progressive, successful states. In particular, the reign of King Zahir Shah (1933-1973) was a time of relative peace, economic growth and limited democracy that included a significant place for women to have professional roles in politics, education and commerce.

This relatively successful and peaceful period was remarkable in several respects. For much of the post-World War II period, U.S. and Soviet competition for influence in Afghanistan was intense and could have been destabilizing. But rather than suffering the Cold

War turbulence endured by Korea, Vietnam and Nicaragua, Afghanistan deftly managed the competing superpower interests to its advantage. More remarkably, the Afghan government balanced competing ethnic and tribal rivalries, although some minorities, notably the Hazara, suffered persistent neglect. This successful balance entailed blunting the interference of neighboring powers who sought to manipulate clans and local leaders. It was based on appeals to nationhood and, crucially, reliance on a traditional structure of governance that corresponded with local political realities.

Decentralization was the key. While the central government addressed national issues related to defense, macrodevelopment, national commerce and provision of vital services, provincial and district governance was left to local leaders whose authority was based on their tribal or ethnic-based political power. There was corruption and in some instances, such as a disastrous drought and famine in the north in the later years of Zahir Shah's rule, the central government failed to respond in a timely and effective manner. But generally the system worked well, allowing cultural and social differences to manifest themselves without interference by the central government. For most Afghans, the king was far away and the village walls were high.

The December 2001 Bonn process, which established an internationally supported scheme for post-Taliban governance in Afghanistan, was in many ways a remarkable achievement. A broad international consensus that, crucially, included a U.S.-Iranian-Pakistani understanding, it created the basis for compromise among fractious Afghans aligned largely on the basis of ethnicity, tribe and party identity.

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of government — notwithstanding the fragile alliance of multiple, competing interests on which the new regime was to be based.

Centralization Backfires

As per the Bonn process, the Karzai administration has pursued a centralized economic policy, centrally controlling justice, health and educational services as well. The 2004 constitution further entrenched this presidential system. Its framework was an outgrowth of a December 2003 national meeting (loya jirga) that convened and deliberated under international influence.

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That meeting was not, however, organized along traditional lines. According to custom, the assembly should have given voice to genuine tribal and other local leaders, intellectual and cultural leaders and religious personages. Instead, its membership consisted largely of military and political figures who had been empowered by the anti-Soviet jihad. Many of these figures owed their prominence to foreign support, and more than a few were corrupt, brutal warlords whose power was based on their capacity to inspire fear rather than respect among Afghans.

The new governance system has also created an environment of intensely personalized politics, generating a court of supplicants that has enervated Karzai's presidency and tarnished it with a reputation of corruption and incompetence. The appointment of officials (provincial governors and police officials, who are often warlords or militia commanders) is largely based on political patronage, leaving local communities hostage to political dealmaking in Kabul.

The national parliament is another matter. Its election in 2005 drew a low turnout, in part because of poor administration of the election. Voter and candidate intimidation, a confusing system for casting ballots and a field of candidates that included notorious warlords and criminals also severely diminished voter interest. The elections produced a mixed result. While women are relatively well represented, the parliament also includes many figures against whom there are credible allegations of human rights abuses and other criminal activity. These include major figures from the seven tanzims, the mujahedeen parties developed in the 1980s under the aegis of Islamabad and Washington. Parliamentarians need not be literate, and many are not. This, along with the relative lack of a meaningful parliamentary role in a system heavily weighted toward the executive, has limited the power and influence of the legislature, which in any event has been highly fractious and frequently undemocratic.

But, rather than strengthening Karzai, the presidential system established under this new constitution has tended to make him a lightning rod for the failures of both his regime and the international community to fulfill their promises to the Afghan people. Though he retains their sympathy — Afghans turned out in large numbers in 2004 to elect him — Pres. Karzai is increasingly seen as well-meaning but feckless.

Looking Ahead

The fall 2009 presidential election, if not precluded by security problems, and the parliamentary election to follow in 2010 could provide opportunities for new leadership under a new governance formula.

It is unlikely, however, that simply a new mandate for Karzai or selection of a successor would significantly change the structural problems that have hobbled Afghanistan over the past three years. Nor is it likely that the composition of the legislature would change significantly, given the fact that members have for the most part used their tenure since 2005 to entrench themselves.

Although time is short, consideration should be given to convening a new loya jirga along traditional lines — namely, drawing in genuine leadership from tribal and ethnic groups, intellectuals and religious leaders. The aims of this gathering would be to reconsider the structure of government bequeathed to the Afghan nation by the 2001 Bonn process and to renew popular hope by drawing on the lessons of successful and authentic Afghan experience.

There is reason to expect a new loya jirga could yield better results than the 2001 process, which took place under exceedingly difficult circumstances. It was necessary to find unity among Afghan participants who agreed on little more than their common opposition to the Taliban. Ethnic and tribal enmity, the tragic loss of key potential leaders and ideological differences presented international mediators with great challenges. Compet-

ing interests and longstanding hostilities among the international mediators themselves raised their own set of problems. That agreement was reached is a tribute to the skillfulness of the mediators and to those Afghans who made key and often selfless compromises.

A new loya jirga would meet under still-daunting challenges, as set forth above. But its deliberations would be informed by more than six years of experience and a popular consensus that demands an end to corruption; a working justice system that punishes war crimes and malfeasance; and government at the local level that is responsive to local will, especially in the provision of security and prerequisites for development.

Those who have accumulated power (and wealth) under the current system can be expected to resist such a restructuring, as it could rewrite the political rules of the game in Afghanistan. But leadership by Pres. Karzai, perhaps in the context of his expected campaign for re-election in 2009, could create momentum for such an initiative. At this point, however, some close observers expect that rather than striking out for a bold program of fundamental reforms, he will continue to opt for the formulation of deals with jihad-era warlords, whose antipathy to reform in the areas of social development, education, human rights protections and development of a free media is all too clear.

Yet Karzai's skills as a politician and his standing as a Pashtun leader are on the line. He seems trapped by a system that forces him to deal with local power holders rather than the Afghan people. Moreover, his increasingly frequent overtures to the Taliban have raised concerns with both Afghans and the international community. He will be tested as he seeks to distinguish between those within the Taliban who can be reconciled to democracy and those who cannot.

A national conference organized along traditional lines could be expected to favor fundamental changes toward re-creation of the system of governance that worked for Afghanistan throughout much of the 20th century. This would include a far more decentralized

setup, relying on elected provincial and local leaders and, at the national level, a parliamentary system with a more ceremonial president and a government composed of competent technocrats reporting to a strong and popular prime minister.

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An Optimistic Scenario

Empowering the national parliament would entail risks. It is likely that any legislature would reflect Afghanistan's ethnic and tribal mosaic, though it is possible that ideology would manifest itself in the representation of some urban populations, as was true of Afghan parliaments prior to the communist coup of 1978. But a loya jirga could address this concern by authorizing a new parliamentary election based, at least in part, on a party system.

Formed on the basis of elections far better organized than in 2005, a parliamentary system would afford the prospect of political leadership more closely reflecting the aspirations of the people and more accountable to them. Formation of political parties would also increase democratization of the parliament by reaching, over time, across ethnic and cultural lines that currently form the basis of power blocs.

A new loya jirga could help ensure a more representative body by establishing literacy requirements and, more crucially, by setting strict qualifications — for both individuals and parties — for participation in a new parliamentary election. In the lead-up to the 2005 parliamentary balloting, the Afghan Election Commission vetted candidates to screen out those with criminal or violent backgrounds. After initially ruling that 208 of more than 2,500 candidates should be disqualified, it ultimately succumbed to pressure and barred only 11. Even the 208 initially identified represented only a small fraction of those whose candidacy should have been challenged. Constitutional prohibitions barring those guilty of certain human rights abuses were ineffective because the absence of a functioning justice system meant that perpetrators had never been convicted.

Inasmuch as there is still no real progress in the judicial sector toward the identification, prosecution and conviction of those guilty of grave human rights abuses and other crimes, it would be necessary to invest a new election commission with quasi-judicial powers, enabling it to exclude the clearly corrupt and the worst abusers. To be effective and credible, the commission would have to be composed of outstanding individuals whose reputation for integrity would imbue it with the requisite authority. Adequate international support for this body would be vital, but its character and composition would need to be indisputably Afghan.

This election commission or a separate, similarly empowered body could also set terms for political participation in parliamentary and other elections by former Taliban members. Such a commission would relieve Pres. Karzai of this politically explosive burden.

Ideally, the loya jirga that would constitute and compose this commission or commissions should itself include tribal and ethnic leaders and other individuals who have standing with the Taliban. The concept would be similar to an effort, proposed but never implemented, to lure supporters of the Mohammad Najibullah regime in 1989 into a successor government by inviting "good Muslims" from the former's ranks.

Realistically, convening an authentic loya jirga prior to the 2010 parliamentary elections may not be feasible. But it is essential that, at a minimum, the parliamentary elections be properly prepared. Whether formed and empowered by a loya jirga, a much more legitimate basis, or by action of the Afghan government and international donors, an election commission with broad powers and a clear mandate to rule on prerequisites for candidacy are needed, to ensure that the parliament emerges as a credible institution capable of balancing the power of a very strong presidency.

In the final analysis, Afghanistan remains a victim of international intervention that has empowered some of the worst elements of society and trapped its people in a foreign-made political system that ignores their history, tradition and political realities. While some of this intervention has been well meaning, much of it has been self-serving, reflecting the national ambitions and interests of other countries.

Afghanistan was the first victim of Taliban misrule and al-Qaida brutality. It deserves another chance in a new political system mandated by a traditionally organized loya jirga that reflects the nation's history and reality and is perceived by Afghans as legitimate. ■